



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
HOWARD HENRY,

Plaintiff,

-against-

WYETH PHARMACEUTICALS, INC.,  
WALTER WARDROP, ANDREW SCHASCHL,  
and MICHAEL McDERMOTT,

Defendants.  
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**STIPULATION AND ORDER**

05-CV-8106 (RCC) (DFE)

**WHEREAS**, on December 19, 2005, Defendant Andrew Schaschl filed a motion to dismiss the Complaint, as it applies to him, for insufficiency of service of process, pursuant to Rule 12(b)(5) of the Federal Rules of Civil Procedure;

**WHEREAS**, on December 22, 2005, this case was reassigned from the Honorable Kimba M. Wood to the Honorable Richard C. Casey,

**WHEREAS**, Plaintiff Howard Henry consents to Defendant Andrew Schaschl's motion to dismiss the Complaint, as it applies to him for insufficiency of service of process, pursuant to Rule 12(b)(5) of the Federal Rules of Civil Procedure;

NOW THEREFORE, it is hereby **STIPULATED, CONSENTED TO AND AGREED** that Defendant Andrew Schaschl's motion to dismiss the Complaint, as it applies to him, shall be granted in its entirety.

Dated: February 1, 2006

LEEDS MORELLI & BROWN, P.C.

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Attorneys for Defendant  
Andrew Schaschl

SO ORDERED:  
*Richard G. ...*  
U.S.D.J.

*February 8 2006*

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